

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address D. EDWARD HAYS, #162507 ehays@marshackhays.com TINHO MANG, #322146 tmang@marshackhays.com MARSHACK HAYS LLP 870 Roosevelt Irvine, CA 92620 Telephone: (949) 333-7777 Facsimile: (949) 333-7778</p> <p><input type="checkbox"/> Individual <i>appearing without an attorney</i> <input checked="" type="checkbox"/> Attorney for: Chapter 7 Trustee, Richard A. Marshack</p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;">UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA – <u>SANTA ANA</u> DIVISION</p>	
<p>In re:</p> <p>NORTHERN HOLDING, LLC,</p> <p style="text-align: right;">Debtor.</p>	<p>CASE NO.: 8:20-bk-13014-SC CHAPTER: 7</p> <p>NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE RE: <i>(title of motion¹)</i>: <u>STIPULATION BETWEEN CHAPTER 7 TRUSTEE AND LEROY E. CODDING, IV RE: CONSENT TO ADJUDICATION OF CIVIL CONTEMPT AND REIMBURSEMENT TO ESTATE</u></p>

PLEASE TAKE NOTE that the order titled **ORDER APPROVING STIPULATION BETWEEN CHAPTER 7 TRUSTEE AND LEROY E. CODDING, IV RE: CONSENT TO ADJUDICATION OF CIVIL CONTEMPT AND REIMBURSEMENT TO ESTATE** was lodged on (date) May 12, 2023, and is attached. This order relates to the motion which is docket number 359.

¹ Please abbreviate if title cannot fit into text field.

Lodged Order



Bankruptcy LODGED ORDER UPLOAD FORM

Friday, May 12, 2023

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- **Office:** [Santa Ana](#)
- **Case Title:** [Northern Holding, LLC](#)
- **Case Number:** [20-13014](#)
- **Judge Initial:** [SC](#)
- **Case Type:** [bk \(Bankruptcy \)](#)
- **Document Number:** [394](#)
- **On Date:** [05/12/2023 @ 07:53 PM](#)

Please **print**  this confirmation for future reference.

Thank You!

United States Bankruptcy Court, Central District of California
Edward R. Roybal Federal Building and Courthouse
255 East Temple Street, Los Angeles, CA 90012

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7 UNITED STATES BANKRUPTCY COURT
8 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

9
10 In re
11 NORTHERN HOLDING, LLC,
12 Debtor.

Case No. 8:20-bk-13014-SC

Chapter 7

ORDER APPROVING STIPULATION
BETWEEN CHAPTER 7 TRUSTEE AND
LEROY E. CODDING, IV RE: CONSENT TO
ADJUDICATION OF CIVIL CONTEMPT
AND REIMBURSEMENT TO ESTATE

Continued Hearing on OSC:

Date: June 15, 2023

Time: 11:00 a.m.

Ctrm: 5C – IN PERSON

Address: 411 W. Fourth Street, Santa Ana, CA
92701

20 On May 11, 2023, the Court conducted an in-person evidentiary hearing on the matter of the
21 Order to Show Cause entered on October 26, 2022, as Docket No. 359 (“OSC”). Tinho Mang of
22 Marshack Hays LLP appeared on behalf of the Chapter 7 Trustee and moving party, Richard A.
23 Marshack (“Trustee”), who was also present. Respondent Leroy E. Coddington, IV (“Respondent”)
24 appeared *in pro per*. Respondent presented an oral motion for an emergency continuance of the
25 hearing, which was denied. The Court heard opening statements of the parties and witnesses were
26 called and examined by Trustee. At the conclusion of the day’s proceedings, the Court indicated that
27 it was inclined to continue the matter for further testimonial evidence. Prior to the hearing being
28 adjourned, Trustee and Respondent stated terms in principle for an agreement to resolve the OSC.

1 The hearing was continued to June 15, 2023, at 11:00 a.m.

2 The Court has reviewed the stipulation (“Stipulation”) entered into between Richard A.
3 Marshack, in his capacity as Chapter 7 Trustee of the bankruptcy estate (“Estate”) of Northern
4 Holding, LLC (“Debtor”), and Leroy Emerson Coddington, IV (“Coddington”), an individual in his
5 individual capacity and in his capacity as the managing member of Fluid Wine Fund I, LLC, a
6 Nevada limited liability company and as chief executive officer of Rabbit Ridge Wine Sales, Inc., on
7 the other hand, filed on May 12, 2023, as Docket No. 394.

8 Good cause appearing, the Court enters its order as follows:

9 IT IS ORDERED:

10 1. The Stipulation is approved.

11 2. Leroy E. Coddington, IV, Fluid Wine Fund I, LLC (“FWF”), and Rabbit Ridge Wine
12 Sales, Inc. (“Rabbit Ridge”) have joint and several liability for payment of \$140,000 to the
13 Bankruptcy Estate of Northern Holding, LLC.

14 3. Coddington shall have no claim of any kind against the Estate, the Trustee, and/or
15 Trustee’s professionals and agents.

16 4. FWF shall have no claim of any kind against the Estate, the Trustee, and/or Trustee’s
17 professionals and agents.

18 5. Rabbit Ridge shall have no claim of any kind against the Estate, the Trustee, and/or
19 Trustee’s professionals and agents.

20 6. By May 17, 2023, at 11:59 p.m. Pacific Prevailing Time, Coddington shall provide to
21 Trustee a full and complete list of any and all vendors, contractors, and invoices which have not
22 been paid in full for any work solely for maintaining and harvesting grapes from the Properties from
23 August 1, 2021 through November 1, 2021 (“Operating Period”), and shall provide contact
24 information for each vendor, contractor, and invoice, and a copy of such invoice. If vendors,
25 contractors, or invoices are included which DO NOT arise from farming operations for the
26 Operating Period (but are instead for, e.g., wine processing, marketing, or handling of non-Estate
27 property), this may serve as the basis for a separate contempt proceeding. No later than May 22,
28 2023, Trustee shall file a declaration regarding Coddington’s compliance with this paragraph. If

1 Coddington has not provided a list of vendors, contractors, and invoices, the Court shall enter an order
2 adjudicating Coddington in civil contempt and consider the imposition of appropriate compensatory and
3 coercive sanctions, including the award of compensatory damages including reasonable attorneys'
4 fees, or civil incarceration to coerce Coddington to comply with the Court's orders.

5 7. If \$100,000 is received by the Estate on behalf of Coddington, FWF, or Rabbit Ridge by
6 11:59 p.m. Pacific Prevailing Time on June 1, 2023, either in the form of certified funds or verified
7 funds, the remaining balance owed to the Estate shall be waived.

8 8. If \$140,000 is not received by the Estate by 11:59 p.m. Pacific Prevailing Time on
9 June 14, 2023, either in the form of certified funds or verified funds, the Court shall enter an order
10 adjudicating Coddington in civil contempt and consider the imposition of appropriate compensatory and
11 coercive sanctions, including the award of compensatory damages including reasonable attorneys'
12 fees, or civil incarceration to coerce Coddington to comply with the Court's orders.

13 9. If payment is not timely made by June 15, 2023, or if there is a material default in the
14 Stipulation, Trustee may lodge a judgment to aid in enforcement of any unpaid funds or
15 unperformed obligation owed under this Stipulation, under terms consistent with this Order.

16 10. Of the funds paid to the Estate, \$40,000 shall be allocated to payment of Trustee's
17 attorneys' fees for the prosecution of the contempt proceeding, and no lien of any kind shall attach to
18 such portion of the funds, including the liens of FCW. The remainder of the funds paid under this
19 Stipulation shall be allocated to grape sale proceeds which are currently held in a segregated account
20 by Trustee.

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1 11. The Parties shall appear in person on June 15, 2023, at 11:00 a.m., for a continued
2 hearing on the OSC and to advise the Court regarding the status of the obligations under this
3 Stipulation. Trustee shall not be required to attend in person unless ordered by the Court, but may
4 appear through counsel.

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620

A true and correct copy of the foregoing document entitled: **NOTICE OF LODGMENT** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **May 12, 2023**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On **May 12, 2023**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR

NORTHERN HOLDING, LLC
ATTN: OFFICER, A MANAGING OR GENERAL
AGENT, OR TO ANY OTHER AGENT
AUTHORIZED BY APPOINTMENT OR LAW TO
RECEIVE SERVICE
13217 JAMBOREE RD #429
TUSTIN, CA 92782

INTERESTED PARTY

LEE CODDING
13217 JAMBOREE ROAD,
#429
TUSTIN, CA 92782

**SECURED CREDITOR / PROOF
OF CLAIM 4-1 ADDRESS**

FARM CREDIT WEST, FCLA
FRANDZEL ROBINS BLOOM &
CSATO, L.C.
ATTENTION: MICHAEL GOMEZ
1000 WILSHIRE BOULEVARD,
19TH FLOOR
LOS ANGELES, CA 90017

**SECURED CREDITOR / PROOF OF
CLAIM 4-1 ADDRESS**

FARM CREDIT WEST, FCLA
ATTENTION: KEVIN E. RALPH
3755 ATHERTON DRIVE
ROCKLIN, CA 95765

SECURED CREDITOR

FARM CREDIT WEST
ATTN: OFFICER, A
MANAGING OR GENERAL
AGENT, OR TO ANY OTHER
AGENT AUTHORIZED BY
APPOINTMENT OR LAW TO
RECEIVE SERVICE
3755 ATHERTON RD
11707 FAIR OAKS BLVD
ROCKLIN, CA 95765

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **May 12, 2023**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY:

PRESIDING JUDGE'S COPY

HONORABLE SCOTT C. CLARKSON
US BANKRUPTCY COURT
411 WEST FOURTH STREET, SUITE 5-097
SANTA ANA, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 12, 2023

Date

Cynthia Bastida

Printed Name

/s/ Cynthia Bastida

Signature

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** CONTINUED:

- **William H Brownstein** Brownsteinlaw.bill@gmail.com
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sburnell@ecf.courtdrive.com;sburnell@ecf.inforuptcy.com;cheryl.caldwell@gmlaw.com;denise.walker@gmlaw.com
- **ATTORNEY FOR INTERESTED PARTY LEE CODDING: Robert P Goe** kmurphy@goeforlaw.com,
rgoe@goeforlaw.com;goeforecf@gmail.com
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kthagard@ecf.courtdrive.com;kfrederick@ecf.courtdrive.com
- **United States Trustee (SA)** ustpregion16.sa.ecf@usdoj.gov
- **Reed S Waddell** rwaddell@frandzel.com, sking@frandzel.com
- **Gerrick Warrington** gwarrington@frandzel.com, achase@frandzel.com
- **David Wood** dwood@marshackhays.com,
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